



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

PETER T. YOUNG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
DEPUTY DIRECTOR - LAND

DEAN NAKANO  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT

ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

January 18, 2007

Chairperson and Members  
Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Land Board Members:

**SUBJECT: REQUEST FOR APPROVAL TO ENTER INTO A CONTRACT WITH UNIVERSITY OF HAWAII-OFFICE OF RESEARCH SERVICES TO DEVELOP AN ARCHITECTURAL SUBMITTAL FORM, UPDATE THE HAWAII AND NATIONAL REGISTERS OF HISTORIC PLACES WEBPAGE, AND TO REVIEW PROJECTS SUBMITTED TO THE STATE HISTORIC PRESERVATION DIVISION FOR REVIEW**

Submitted for your consideration is a request to enter into a Contract for Services between the Department of Land and Natural Resources and the University of Hawaii (UH). The contract will allow for UH to develop an architectural submittal form for all projects submitted to SHPD that have the potential to impact historic structures, update the Hawaii and National Registers of Historic Places website on the SHPD webpage to contain more detailed information on each property listed on the Hawaii and/or National Register of Historic Places, and to complete architectural reviews.

The submittal form will be used for all projects submitted to SHPD that have the potential to impact historic structures. This form will contain pertinent information about each project submitted for review, allowing SHPD to review projects quickly and more efficiently. Updating the Hawaii and National Registers of Historic Places website will allow users to access photographs, the statement of significance, an architectural description, and a current condition assessment of the property. This update to the website will make the Hawaii and National Register a more effective tool for SHPD, as important information about historic structures will be more easily accessible when reviewing projects, as well as making the State and National Register more accessible to the public. UH will assist SHPD in completing condition assessments with photo documentation of current conditions of properties listed on the State

and/or National Registers of Historic Places. UH will also complete reviews of projects submitted to SHPD to ensure compliance with State and Federal laws.

The Contract is for a total amount not to exceed \$20,000 and runs for the period of one year, with two options to extend, each for one year. The contract is currently under review by the Attorney General, following this review the document will be processed for signature by the Chairperson.

**RECOMMENDATION:**

That the Board authorize the Chairperson to negotiate and execute a Contract for Services in the amount of \$20,000 with University of Hawaii-Office of Research Services, subject to the availability of funds and approval by the Attorney General's Office.

Respectfully submitted,

  
\_\_\_\_\_  
MELANIE CHINEN, Administrator  
Historic Preservation Division

**APPROVED FOR SUBMITTAL:**

  
\_\_\_\_\_  
PETER T. YOUNG, Chairperson  
Board of Land and Natural Resources

STATE HISTORIC PRESERVATION DIVISION  
Department of Land and Natural Resources  
State of Hawai'i

CONTRACT FOR SERVICES

This Contract, is effective upon approval, between the Department of Land and Natural Resources (DLNR), State of Hawai'i and the University of Hawai'i Office of Research Services, hereinafter referred to as "DLNR" and the "University of Hawai'i."

The Chairperson of the Department of Land and Natural Resources is hereafter referred to as the HEAD OF THE PURCHASING AGENCY ("HOPA"), whose address is: Office of the Chairperson; DLNR, State of Hawaii; Kalanimoku Bldg.; 1151 Punchbowl St.; Honolulu, Hawai'i 96813. The University of Hawai'i under the laws of the State of Hawai'i, business address and taxpayer identification number are as follows: to obtain from Spencer Leineweber, the designated Principal Investigator for the Office of Research Services,

RECITALS

- A. The DLNR desires to retain and engage the UNIVERSITY OF HAWAI'I –OFFICE OF RESEARCH SERVICES (contractor) to provide the services described in this Contract and its attachments, and the CONTRACTOR is agreeable to providing said services.
- B. Money is available to fund this Contract pursuant to the Historic Preservation Fund (HPF) program as authorized by the National Historic Preservation Act.
- C. Pursuant to Section 171-6, HRS the DLNR is authorized to enter into this Contract.

NOW, THEREFORE, in consideration of the promises contained in this Contract, the DLNR and the UNIVERSITY OF HAWAI'I-SCHOOL OF ARCHITECTURE agree as follows:

- 1. Scope of Services. The CONTRACTOR shall, in a proper and satisfactory manner as determined by the DLNR, provide all the services set forth in Attachment 1, which is hereby made a part of this Contract.
- 2. Term of Contract. This Contract is effective upon approval for one year with two options to extend for one year each.

3. Compensation. The CONTRACTOR shall be compensated for services rendered and costs incurred under this Contract, contingent on availability of funds, for a total amount not to exceed \$20,000 including taxes, according to the Compensation and Payment Schedule set forth in Attachment 2, which is hereby made a part of this Contract.
4. Time of Performance. The services or goods required of the CONTRACTOR under this Contract shall be performed and completed in accordance with the Time of Performance, set forth in Attachment 3, which is hereby made a part of this Contract.
5. Standards of Conduct Declaration. The Standards of Conduct Declaration by the CONTRACTOR is attached hereto and made a part of this Contract.
6. Other Terms and Conditions. The General Conditions and any Special Conditions are attached hereto and made a part of this Contract. In the event of a conflict between the General Conditions and the Special Conditions, the Special Conditions shall control.
7. Notices. Any written notice required to be given by a party to this Contract; shall be (a) delivered personally, or (b) sent by United States first class mail, postage prepaid. Notice to the DLNR shall be sent to the HOPA'S address indicated in the Contract.
8. Notice to the CONTRACTOR shall be sent to the CONTRACTOR'S address indicated in the Contract. A notice shall be deemed to have been received three (3) days after mailing or at the time of actual receipt, whichever is earlier. The CONTRACTOR is responsible for notifying the DLNR in writing of any change of address.

IN VIEW OF THE ABOVE, the parties execute this Contract by their signatures, on the dates below, to be effective as of the date first above written.

**DLNR**

Recommend Approval:
_____ Administrator, SHPD
Date: _____

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Print Title)

\_\_\_\_\_  
(Date)

**University of Hawai'i – School of Architecture**

**CONTRACTOR  
CORPORATE SEAL**  
(If available)

University of Hawai'i\_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Print Title)

\_\_\_\_\_  
(Date)

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy Attorney General

\*Evidence of authority of the CONTRACTOR'S representative to sign this Contract for the CONTRACTOR must be attached.

## Attachment 1

### SCOPE OF SERVICES

All projects will be conducted under the supervision of the designated Principal Investigator of the Office of Research Services, and all sub-contracted employees must be approved by the HOPA. The Contractor is expected to disclose any conflict of interest that may arise in their performance of the aforementioned duties as described in Section 84-14 (HRS). In the event that University of Hawai'i notifies the SHPD of a conflict of interest, the SHPD will notify the University of Hawai'i if they may proceed with the review or if the project shall be returned to the SHPD and issue an alternate project to University of Hawai'i for review

The purpose of this agreement is to arrange for the University of Hawai'i to provide the following services:

- Develop an architectural submittal form for all projects submitted to SHPD that have the potential to impact historic structures. The University of Hawai'i will research submittal forms used by other states and review the recommendations of the SHPD architecture workgroup, who has discussed elements that should be included on the submittal sheets during their meetings. University of Hawai'i will utilize information gathered from other states as well as input from the architecture workgroup in creating an architectural submittal form.

A draft of the submittal form is to be completed by March 31, 2007 and presented to SHPD Administrator for review and final preparation. A final draft of the inventory form is to be completed by May 15, 2007.

The University of Hawai'i will produce written instructions explaining how to complete the architectural submittal form. Instructions will contain information explaining the procedures for completing written portions of the form and describe the requirements for other forms of documentation that may be needed for SHPD architecture staff to complete their reviews.

Both the instructions and the form itself will be put into a PDF format by The University of Hawai'i; this form will be accessible from the SHPD website. CONTRACTOR will work with SHPD's Information System Manager (ISM) to assure the submittal form and instructions are possible for the SHPD's ISM to upload onto the SHPD website.

- Update the Hawai'i and National Registers of Historic Places website on the SHPD webpage to contain more detailed information on each property listed on the Hawai'i and/or National Register of Historic Places
  - The updated webpage should contain the following information: date(s) that the property was listed on the Hawai'i and/or National Register of Historic Places, the statement of significance, including the criterion for which the property was originally nominated, an architectural description of the property, a photograph of the property at the time of listing, a current condition assessment statement and a current photograph of the property when available, the SHPD shall provide the necessary

data. CONTRACTOR may assist SHPD staff in completing condition assessments and with photo documentation of current conditions.

- A link from the SHPD website to the National Park Service's National Register of Historic Places database will be created for each property in Hawai'i that is listed on the National Register of Historic Places.
- A database query will be developed to allow researchers to search properties listed by type, function etc. (i.e.: Cultural, Structural, Landscape). Searches should also allow researchers to search by architectural style and archaeological function (i.e.: heiau, habitation, etc).
- Provide historic preservation expertise and assistance to the SHPD by reviewing projects submitted to SHPD by private architectural and planning firms, the federal government, various State and County agencies, and private citizens. The University of Hawai'i will provide written comments on the "construction, alteration, disposition, or improvement" of any historic property in accordance with Chapter 6E of the Hawai'i Revised Statutes (HRS).

The University of Hawai'i will also review project proposals and plans pursuant to Section 106 of the National Historic Preservation Act (NHPA) as described in detail in the implementing regulations of the statute at 36 CFR Part 800, Subpart B, §800.3 through 800.5.

Reviews may include, but are not limited to:

Architectural Assessments  
Architectural Inventory Survey Plans  
Preservation Plans  
Section 106 Reviews  
Section 6E Reviews  
Building Permit Applications

These assessments plans and reports will be reviewed to determine compliance with existing state and federal standards cited above which govern the historic preservation review process. The reviewer will determine the acceptability of each assessment, plan, or report reviewed, recommend changes as appropriate, and determine whether or not the proposed project will affect historic properties. In the event measures are required to mitigate an effect on historic properties, the reviewer will set forth the mitigation requirements that must be complied with before the proposed project may continue.

In the review process, when a proposed project will have an "effect," the contractor may reach a determination of "no historic properties affected" or "effect with proposed mitigation commitments" for projects reviewed for compliance with Chapter 6E (HRS) or "adverse effect" or "no adverse effect" for projects reviewed for compliance with Section 106 (NHPA).

During the review process, the contractor may be asked to consider:

- If the “construction, alteration, disposition, or improvement” is in keeping with The Secretary of the Interior’s Standards for Rehabilitation; and
- How the project may impact historic properties in the vicinity of the project location.

If an assessment, report, or plan is deemed inadequate due to lack of specific information, the contractor will inform the submitting party’s point of contact, in writing, of the information necessary to complete the review.

The contractor may also be required to negotiate historic preservation stipulations with property owners, government planners, or architectural firms.

On occasion, the contractor may be required to gather first-hand knowledge of a particular project by way of a site visit to perform a review. In these instances, the contractor should possess a valid State of Hawai’i driver’s license, and have his/her own transportation.



## Attachment 2

### Compensation and Payment Schedule

The University of Hawai'i-Office of Research Services will be paid on a monthly basis at the rate of \$\_\_\_\_\_/hour, contingent on the availability of funds. The time allotted for each review will be mutually agreed to by the DLNR and the University of Hawai'i. The contractor will not be reimbursed for review time that exceeds the agreed to allotted time for review.

Monthly invoices must be submitted to the DLNR's Historic Preservation Division which is located at 601 Kamokila Boulevard, Room 555, Kapolei, Hawai'i 96707. Invoices must identify billable hours and be supported by an itemized listing of projects worked on during these hours. The itemized list should provide the following details: (1) Type of project worked on (i.e.: architectural submittal sheet, updating Hawai'i and National Register website, reviews completed (specify type of review), (2) Name of the individual working on the project, and (3) Billable hours. Billable hours will be limited to 160 hours per month unless additional hours are approved in advance by SHPD.

Payment will be made to the University of Hawai'i-Office of Research Services upon DLNR's confirmation of the delivery and acceptability of services provided.

### Attachment 3

#### Time of Performance

The time allotted for each project to be completed by the CONTRACTOR will be as follows:

The CONTRACTOR will complete a draft of the architecture submittal sheet by March 31, 2007 for the Administrator's review and comment. A final draft will be submitted for the Administrator's approval by May 15, 2007. The submittal form will be posted on the SHPD website by June 30, 2007.

The CONTRACTOR will update the website as follows:

- By April 15, 2007 all sites will be listed by island and include statements of significance, and photo documentation when available.
- Current assessments will be updated through this contract period as these reports are completed. The contractor may assist in completing these assessment reports.
- Proposed search queries will be submitted to the Administrator for review, comment, approval by May 1, 2007. By the end of the contract period the CONTRACTOR will have designed search tools to facilitate research of historic properties on the State and National Registers by island, city, type (cultural, structural, etc).

The CONTRACTOR will provide the DLNR with its comments and recommendations in the form of a letter addressed to the agency seeking the review, and return to DLNR within 20 calendar days of receipt of the project. Section 106, of the National Historic Preservation Act (NHPA) review letters will be prepared for the Chairperson's signature, while reviews conducted under 6E-HRS, will be prepared for the Administrator's signature. The DLNR and the University of Hawai'i may extend this timeline upon mutual agreement on a case-by-case basis.

All reviews must be completed by the close of the contract period; provided the DLNR and University of Hawai'i-Office of Research Services may agree to extend the contract for two additional years.